THE HON'BLE SMT JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.22987 of 2005

Date: 31.10.2005

Between:

Kanubuddi Venkatalakshmamma

…. Petitioner

and

The Station House Officer, Eluru Rural Police Station, West Godavari District & others.

….. Respondents.

THE HON'BLE SMT JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.22987 of 2005

ORDER: *(per the Hon'ble Smt. Justice T. Meena Kumari)*

This is a taken up case on the Letter addressed by the petitioner seeking a direction to the respondents to produce the detenu, her husband, viz. K.

Tirupathaiah, who was illegally detained by the S.I. of Police, Eluru Rural Police Station, West Godavari district and to set him at liberty.

The respondents have filed the counter denying the allegations in the Telegram. It is specifically mentioned at paragraph 3 of the counter that Cr.No.30 of 1992 was registered against one Mr. Venkat Reddy, and the same was numbered as C.C.No.194 of 1992 on the file of the II Additional Judicial Magistrate of First Class, Eluru. The said case was ended in acquittal on 21.10.2005 and Venkat Reddy was released on the very same day itself. It is further mentioned that the husband of the petitioner was not at all taken into custody either by the police or by the jail authorities.

It is submitted by the leaned Additional Advocate General across the Bar that the alleged detenu was not arrested by the police at any time, therefore the question of detaining the alleged detenu does not arise.

In view of the submission made by the learned Additional Advocate General and in view of the averments made in the counter to the effect that the alleged detenu was not arrested by the police at any time, We are of the view that no further orders are necessary in this writ petition and accordingly, the same is liable to be dismissed.

The writ petition is, therefore, dismissed.

(T. MEENA KUMARI.J)

(K.C. BHANU.J)

Date: 31.10.2005

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